

PLAN COMMISSION OF THE CITY OF HUDSON, WISCONSIN

**Tuesday, January 7, 2020 6:00 p.m.
Council Chambers of City Hall, 505 Third Street**

AGENDA

(Click on agenda items highlighted in blue to access documents related to that item)

1. Call to Order
2. [Discussion and possible action on December 3, 2019 meeting minutes](#)
3. Public Hearings
4. Old Business
 - A. ~~Discussion and possible action on a conditional use permit application for a makeup and cosmetic bar with ancillary day spa and wellness center uses and Downtown Design Review at 221 Vine Street—BB Makeup Cosmetic Bar~~
Application Withdrawn by Applicant 1/3/2020
 - B. [Discussion and possible action on a recommendation to the Common Council for an amendment to Municipal Code, Chapter 255-75.2, Breweries, brewpubs, wineries and distilleries.](#)
 - C. [Discussion and possible action on a recommendation to the Common Council for an amendment to Municipal Code, Chapter 255, Zoning, to include Short-Term Home Rentals and an amendment to Municipal Code, Chapter 140, Housing Standards, to update the definition and requirements for Rooming Houses.](#)
5. New Business
 - A. [Discussion and possible action on recommending the Common Council set a public hearing date for an amendment to Municipal Code, Chapter 253, Floodplain Ordinance, to include the Downtown Floodway Study](#)
6. Communications and Items for Future Agendas
7. Adjournment

Emily Boles, Acting Secretary

Posted in City Hall lobbies and emailed to *Star-Observer* on 1/3/2020.



REGULAR MEETING OF THE PLAN COMMISSION
CITY OF HUDSON
Tuesday, December 3, 2019

The Plan Commission meeting was called to order by Chairman O'Connor at 6:00 p.m.

COMMISSION MEMBERS PRESENT. Pat Casanova, Randy Morrisette, Rich O'Connor, Mary Claire Potter, Frank Rhoades, Kurt TeWinkel, and Fred Yoerg.

COMMISSION MEMBERS ABSENT. None.

STAFF MEMBERS IN ATTENDANCE. Aaron Reeves, Emily Boles, Tiffany Weiss and Mike Johnson.

OTHERS PRESENT. Missy Germain, Brooke Fleetwood, David Estreen, Karen Neset, Angelines Castro, Louie Tuma, Katie Anibas, Brian Zeller, and others present.

Discussion and possible action on November 5, 2019 meeting minutes. Motion by Yoerg, seconded by TeWinkel to approve the minutes of the November 5, 2019 Plan Commission meeting. All Ayes (6). Motion Carried.

PUBLIC HEARINGS.

Public hearing on a conditional use permit application for a makeup and cosmetic bar with ancillary day spa and wellness center uses at 221 Vine Street - BB Makeup Cosmetic Bar. Chairman O'Connor opened the hearing and asked for public comments. Commission member Potter arrived at 6:04 p.m.

Missy Germain, BB Makeup Business Manager, reviewed the application and desired business activities. Germain highlighted that the color pink would be used as an accent color for up to 15% of the exterior and the planned awning was no longer desired. Germain stated the current business has 6 parking stalls with 2-3 employees. She continued to say that the previous business at 221 Vine Street had 35 employees. BB Makeup Cosmetic Bar proposed a max of 6-8 employees and only a few clients at a time. Germain stated the 221 Vine Street site has 9 parking stalls and 3 garage stalls. Additional client parking would be directed to the North Parking Lot. Germain stated that additional services were not fully determined but could include and additional esthetician, chiropractor, massage, and further hair services.

David Estreen, 727 Third Street, stated that he and his wife, Karen Neset, were opposed to the application. Estreen said that the proposed uses were clearly not permitted under the ordinance in the RT zone. Estreen stated that the original business owner, Hans Friese, operated a professional office at 221 Vine Street which is permitted. He continued to state that the original Ciranda permit allowed for two owners, two employees, no walk-in business, and had additional conditions. Estreen said that the expanded services are wholly incompatible with a residential neighborhood. He noted that beauty parlors, yoga classes, and food preparation are all not permitted. Estreen said that the business cannot significantly affect the residential character and any uses must only occur in the existing structure. Estreen suggested the application be rejected.

Angelines Castro, 725 Third Street, expressed concerns about business operations in the neighborhood. Castro said the prior business caused issues with parking and blocking her driveway as well as trash collection. She stated she bought her house to be residential and had concerns for how a spa would impact the residential neighborhood.

Motion by Yoerg, seconded by Casanova to close the public hearing. All ayes (7). Motion carried.



REGULAR MEETING OF THE PLAN COMMISSION
CITY OF HUDSON
Tuesday, December 3, 2019

Discussion and possible action on a conditional use permit application for a makeup and cosmetic bar with ancillary day spa and wellness center uses at 221 Vine Street - BB Makeup Cosmetic Bar

Potter inquired to when the Downtown Design Review Committee would consider the application. Johnson stated that the Committee would consider the architectural design if the conditional use permit were approved.

Johnson stated that many of the proposed uses are not contemplated in the current code which was adopted in 1993. Staff categorized the use as "mixed-use". Johnson asked Plan Commission to discuss if they agree with staff's interpretation of a mixed-use or if the business is closer to a beauty parlor/salon use. Morrisette and Yoerg agreed that they believed the business is mixed-use. Yoerg commended the business as a neighboring resident. Casanova stated the application was vague and requested a more concise proposal. Potter asked for clarification on the ancillary uses and expanded services.

Missy Germain stated that BB Makeup was not sure what uses would be approved under the conditional use permit. She stated that the business was desirous of adding a massage therapist or chiropractor, hair services beyond styling such as cutting and coloring, and a couple more employees.

Discussion was held regarding permitted uses. Rhoades asked about the definition of a salon. Morrisette said that he did not think the current business is a beauty salon. Karen Neset, 727 Third Street, stated that she believed the business was the new-age definition of a salon. Neset said that Third Street is a destination for tourists and location of many historical sites. Neset stated that just because they are a good business at their current location, it cannot be compared to how it will exist in a structure five times larger and in a residential neighborhood.

Further discussion was held regarding permitted uses. Motion by Potter, seconded by Casanova to postpone consideration of the conditional use permit. Discussion: Germain stated that the applicant was satisfied with approval for the existing business activities and up to 15% of the building façade being accented with pink. Yoerg and Casanova stated they could not support pink accents. Ayes (6). Nays (1 – Morrisette). Motion carried to postpone consideration of the conditional use permit.

Public hearing on a final master development plan for a planned commercial development (PCD) at St. Croix County tax parcel 236-2001-02-050 – Hanson Bros. XII LLC. Chairman O'Connor opened the hearing and asked for public comments. No comments were made. Motion by Casanova, seconded by Morrisette to close the public hearing. All ayes (7). Motion carried.

Discussion and possible action on a final master development plan for a planned commercial development (PCD) at St. Croix County tax parcel 236-2001-02-050 – Hanson Bros. XII LLC. Johnson reviewed the master plan. Discussion was held regarding the proposed connection to the private roadway between Walgreens and the multi-tenant building. Motion by Morrisette, seconded by Casanova to approve the conditional use permit with conditions (see Attachment A). All ayes (7). Motion carried.

NEW BUSINESS.

Discussion and possible action on a preliminary plat at St. Croix County tax parcel 236-2001-02-050 – Hanson Bros. XII LLC. Motion by Yoerg, seconded by Casanova to approve the preliminary plat with the following conditions:

1. That the site improvements will adhere to the approved development review and construction processes within the City.
2. That a Planned Commercial District (PCD) master plan conditional use permit be approved prior to final plat consideration by the Common Council.



REGULAR MEETING OF THE PLAN COMMISSION
CITY OF HUDSON
Tuesday, December 3, 2019

3. That no building permits will be issued until new streets are sufficiently constructed to allow emergency access to construction sites with street signs in place. This will be verified in writing by the Hudson Police Department, Hudson Fire Department and Lakeview EMS.
- All ayes (7). Motion carried.

Discussion and possible action on final development plans for Cambridge Senior Living location on part of St. Croix County tax parcel 236-2001-02-050 – Hudson Capital Partners. Motion by Casanova, seconded by Yoerg to approve the final development plans for Cambridge Senior Living with the following conditions:

1. That all site improvements adhere to the approved development and construction process within the city.
2. That all staff and engineering comments be satisfactorily addressed and provided for by the applicant prior to final development plan consideration Common Council.
3. Property owner must obtain final development plan approval from the Common Council.
4. That a final Planned Commercial Development (PCD) master plan conditional use permit be approved by the Plan Commission and Common Council prior to final plan approval by the Common Council.
5. That a final plat for the Carmichael Ridge Planned Commercial Development be approved by Common Council prior to issuance of a building permit.

Discussion: Discussion was held regarding traffic generation. Katie Anibas, HDAC Group President, reviewed traffic generation and overall care facility activities.

All ayes (7). Motion carried.

Discussion and possible action on final development plans for Paws and Claws Pet Resort Expansion at 2300 Jack Breault Drive – Paws and Claws Pet Resort. Motion by Morrisette, seconded by Casanova to approve the final development plans for Paws and Claws Pet Resort expansion with the following conditions:

1. That all site improvements adhere to the approved development and construction process within the city.
2. That all staff and engineering comments be satisfactorily addressed and provided for by the applicant prior to final development plan consideration by the Plan Commission and Common Council.
3. Property owner must obtain final development plan approval from the Common Council.
4. That the future parking needs for this site be reviewed at the time a new tenant inquires to occupy the space.

All ayes (7). Motion carried.

Discussion and possible action on a downtown design review at 619 Second Street – Quality Sign Solutions. Motion by Morrisette, seconded by Yoerg to approve the downtown design review for WeatherSafe Restoration Inc. sign at 619 Second Street. All ayes (7). Motion carried.

Discussion and possible action on a downtown design review on updates to pylon signage at 109 Second Street – River City Center, LLC. Discussion was held regarding the timeline for sign replacement and final sign at the site. Brian Zeller, River City Center, LLC representative, stated that the current sign may be refurbished or replaced. If refurbished, illumination would be controlled at night. Motion by Potter, seconded by TeWinkel to approve the design review for River City Center at 109 Second Street with the following conditions:

1. That the applicant widens the exposed (aboveground) base structure of the sign to be at least 33% of the width of the sign for compliance with §202-6(C)(2)(f).



REGULAR MEETING OF THE PLAN COMMISSION
CITY OF HUDSON
Tuesday, December 3, 2019

2. That the internal illumination of the sign be controlled and dimmed at night for driver safety at the intersection of Second St and Buckeye St/Coulee Rd and shall not exceed one footcandle meter reading as measured from the center line of Buckeye St, Coulee Rd, or Second St.

All ayes (7). Motion carried.

Discussion and possible action on a recommendation to the Common Council to set a public hearing date for an amendment to Municipal Code, Chapter 255-75.2, Breweries, brewpubs, wineries and distilleries. Motion by Casanova, seconded by Yoerg to recommend the Common Council set a public hearing date. All ayes (7). Motion carried.

OLD BUSINESS.

Discussion and possible action on a recommendation to the Common Council on an amendment to Municipal Code Chapter 255, Zoning, to include development information meetings. Motion by Yoerg, seconded by Casanova to recommend the Common Council approve the proposed amendment to Chapter 255 to include development information meetings. All ayes (7). Motion carried.

Discussion and possible action on a recommendation to the Common Council to set a public hearing date for an amendment to Municipal Code, Chapter 255, Zoning, to include Short-Term Home Rentals and an amendment to Municipal Code, Chapter 140, Housing Standards, to update the definition and requirements for Rooming Houses. Motion by Yoerg, seconded by Rhoades to recommend the Common Council set a public hearing date. All ayes (7). Motion carried.

COMMUNICATIONS AND ITEMS FOR FUTURE AGENDAS.

Chairman O'Connor wished Plan Commission members a Merry Christmas.

Morrisette inquired upon submissions to grants for transportation projects. Johnson said that studies would be presented shortly, and grant application deadlines were on track to be met.

ADJOURNMENT.

Motion by Yoerg, seconded by Cassanova to adjourn at 7: 00 p.m. All ayes (7). Motion carried.

Respectfully submitted,
Emily Boles, Acting Secretary



ATTACHMENT A

Conditional Use Permit Carmichael Ridge Commercial Development Master Plan

12/3/2019 Plan Commission Meeting Conditions of Approval:

1) DIMENSIONAL STANDARDS & SETBACKS & LOT CONFIGURATION:

The commercial lots shall be a mix of commercial business establishments intended to meet the day-to-day local convenience shopping and services needed by people residing in adjacent residential neighborhoods.

- Setbacks shall be in accordance with the B-2, General Business District.
- Changes which alter the location of the proposed condo plat parcels will require an amendment to the master plan.

2) ARCHITECTURAL STANDARDS:

- Landscaping
 - Shall meet the requirements of Chapter 255-34.
- Lighting
 - Shall meet the requirements of Chapter 255-47.
 - Spec sheets shall be submitted with each exterior light fixture to be used along with a photometric site plan illustrating the location of exterior light poles and associated footcandles.
 - All lighting to be installed by the owner/developer shall be approved by the City of Hudson Public Works Director and shall be in a style as approved by the Community Development Director and shall be harmonious with the established neighborhoods nearby.
- Parking & Loading
 - Shall at a minimum, meet the requirements of Chapter 255-48, 255-49, and 255-50.
 - No parking shall be allowed on Ward Avenue or Annabelle Way.
- Exterior Storage and Service Areas
 - Shall meet the requirements of Chapter 255-31
 - Street-level and rooftop mechanical equipment shall be located or screened so that they are not visible from a public street.
 - Trash and recycling containers shall be located in the rear or side yard and shall be screened using an enclosure not less than six feet in height. Building materials and colors shall compliment those used on the primary façade. The use of chain link fencing shall not be permitted.
- Signage.
 - Shall meet the requirements of Chapter 202 based on property use.
 - The following sign types are prohibited in addition to those prohibitions under Chapter 202: freestanding pole signs and freestanding dual post signs.
 - All signage (i.e., site and building signs) shall be integrated with the architectural concept of the development in detailing, use of color and materials, and placement.

- Appropriate monument signage at the development entrances shall be reviewed and approved for design and location appropriateness by the City Engineer and Community Development Director.
- Street Orientation
 - Where practical, building facades shall be orientated parallel or at right angles to public streets.
 - The primary entrance to buildings shall be connected to the public sidewalk or trail by an accessible path/walkway.
Any garage doors and loading docks proposed for commercial development shall not front a public street. In the event this is not feasible, garage doors and loading docks shall be screened with landscaping and softened by architectural detailing.
- Primary Facades
 - Buildings shall incorporate architectural features and patterns that provide visual interest, at the scale of the pedestrian.
 - Each principal building shall have clearly defined, highly visible customer/primary entrances featuring architectural elements such as canopies or porticos, overhangs, arcades, raised parapets, arches or roof forms.
 - The base of the building shall include elements that relate to the human scale. These should include doors, windows, texture, projections, awnings, ornamentation, etc.
 - Commercial facades shall be comprised of at least thirty percent clear glass, measured from two to ten feet above grade.
- Secondary Facades
 - All buildings shall be planned and designed so that they have the equivalent of a front appearance on all exterior vertical and horizontal surfaces.
- Scale and Articulation
 - Buildings shall incorporate architectural features and patterns that provide visual interest, at the scale of the pedestrian.
 - Any building with a total width equal to or greater than its height shall utilize two or more of the following techniques: expression of structural bays, variation in roofline, variations in material, variation in color, and/or variation in the building plane.
 - All building facades facing a public street shall receive full design consideration. This means that the facades shall be subdivided and proportioned using features including windows, frames, sills and lintels, shading devices, and wall modulations.
- Roofline
 - A positive visual termination at the top of the building shall be established, using either a pitched roof with gable(s) facing the street or a flat roof with a defined cornice.
 - Cosmetic “fake” parapets and facades, if used, shall be designed three-dimensionally to hide their “fake” characteristics (as they usually lack depth).
 - Pitched roofs shall have a slope no less than 5:12.
- Awnings
 - Awning colors shall relate to and complement the primary colors of the building façade.

- Glowing awnings (backlit, light shows through the material) are prohibited. Preferred lighting methods include lighting fixtures directed down onto the awning or light fixtures beneath the awning directed to towards the sidewalk.
 - Awnings using wood or shingle components are prohibited. Cloth, vinyl, and metal are the preferred awning materials.
 - Awnings/Canopies shall be at least eight (8) feet above the sidewalk/walkway.
 - The mass of an awning used as a sign shall not dominate the facade of the building to which it is attached.
- Exterior Colors & Materials
 - Day-glow or fluorescent colors are prohibited. The use of low reflectance material, subtle, neutral, or earth tone colors as the predominant colors on the façade is encouraged.
 - Bright colors are prohibited for the primary façade color but are acceptable as a secondary color to highlight expression lines or details.
 - All exposed sides of the building shall use similar or complementary materials and colors as used on the front/primary façade.
 - Preferred primary exterior finish materials include kiln fired brick, high-quality natural cut stone, texture-faced concrete masonry, brick veneer, terra-cotta, fiber cement siding, and engineered wood siding (e.g., LP Smartside, TruWood). The following materials may be used as a secondary or accent material only: vinyl siding, EIFS, metal panel/siding systems. Prohibited materials: gravel aggregate materials, smooth-faced concrete masonry, polished stone, manufactured stone veneer, rough-sawn wood siding, or plain concrete-panel buildings.
 - The use of textured concrete masonry should be minimized to the base of the of the building and first floor vertical columns.
 - Building materials susceptible to damage by vehicles or maintenance equipment, including metal siding/panels and EIFS, are prohibited on the lower three (3) feet above grade adjacent to a paved and/or lawn area.
 - Accessory buildings shall be compatible with the principal building in terms of building facade character, roof shapes, materials, colors and architectural details.

3) OPEN SPACE AND SCREENING:

- Maximum allowable coverage shall be in accordance with the B-2, General Business District as provided by Section 255 Attachment 2.
- All open space provided on the master plan shall be provided as required by municipal code Section 255.
- Wherever possible, a landscaped berm of at least 4' in height shall be provided on lots that abut the existing residential neighborhood abutting the development property.

4) REVISIONS AND/OR CHANGES (255-15(K)):

- **Major changes.** Changes which alter the concept or intent of the planned development, including increases in density, change in location and types of commercial land uses, increases in the height of buildings, reduction of proposed parking, changes in road standards or alignment, utilities, water, electricity and drainage or changes in the final governing agreements, provisions or covenants, may be approved only by submission of a new preliminary plan and supporting data and following the preliminary approval steps and subsequent amendment of the final planned development plan.

- **Minor changes.** The City Planner/Zoning Administrator or compliance officer may approve minor changes in the planned development which do not change the concept or intent of the development without going through the preliminary approval steps. Minor changes are defined as any change not defined as a major change.

5) ADDITIONAL CONTIONS OF APPROVAL:

1. That all site improvements adhere to the approved development and construction process within the city.
2. That all staff and engineering comments be satisfactorily addressed and provided for by the applicant prior to final master development plan consideration by the Common Council.
3. Property owner must obtain final planned commercial development master plan conditional use permit (CUP) approval from the Common Council.
4. That a landscape plan be submitted and reviewed by staff prior to final master plan consideration by the Common Council.



505 Third Street
Hudson, Wisconsin 54016
ph: (715)-386-4765 fx: (715)386-3385
www.hudsonwi.gov

TO: Plan Commission

FROM: Community Development

DATE: 7 January 2020

SUBJECT: Discussion and possible action on a recommendation to the Common Council for an amendment to Municipal Code, Chapter 255-75.2, Breweries, brewpubs, wineries and distilleries.

BACKGROUND:

The proposed zoning code amendment would allow for additional food services at wineries, distilleries, breweries, brewpubs, and brewery retail outlets in the I-1, Light Industrial District.

The current code limits food service to pre-packaged food as an ancillary use. Limitations to food service as an ancillary use is proposed to be removed.

The proposed amendment would permit limited food service such as prepackaged food with the approval of a certificate of compliance and restaurant-style service with the approval of a conditional use permit.

The permitted use table is also proposed to be amended to permit brewery retail outlets and brewpubs to operate in the I-1, Light Industrial District, with the same food service options as breweries, wineries, and distilleries.

The Common Council will hold a public hearing regarding the proposed ordinance at their January 20, 2020 meeting.

STAFF RECOMMENDATION:

Recommends the Plan Commission forward a recommendation of approval to the Common Council.

ACTION REQUESTED:

Recommend the Common Council approve an amendment to Municipal Code Chapter 255-75.2.

ATTACHMENTS:

Draft Ordinance for Amendment to §255-75.2
Current Municipal Code §255-75.2

Prepared by: Emily Boles, Administrative Assistant
Through: Mike Johnson, AICP, Community Development Director

ORDINANCE NO. ____

AN ORDINANCE AMENDING THE CITY OF HUDSON MUNICIPAL CODE, CHAPTER 255

WHEREAS, the City of Hudson is desirous of providing opportunity for expanded food services at breweries, distilleries, and wineries.

WHEREAS, the Hudson City Code currently limits food service to ancillary uses at these establishments.

THE COMMON COUNCIL OF THE CITY OF HUDSON HEREBY ORDAINS AS FOLLOWS:

CHAPTER 255. ZONING

ARTICLE IV. PERFORMANCE AND DESIGN STANDARDS

§255-75.2 BREWERIES, BREWPUBS, WINERIES AND DISTILLERIES:

Section 255-75.2(B) Definitions. The definition for Ancillary is amended as follows. All other definitions shall remain the same.

ANCILLARY

A use that is subordinate to a principal business which is operated on the same premises as the ~~ancillary~~ **principal business** use.

Section 255-75.2(C) Uses permitted by zoning district. The permitted use table is amended as follows:

Breweries, Brewery Off-Site Retail Outlets, Brewpubs, Distilleries and Wineries: Permitted Zoning Districts and Required Reviews

	B-2 General Business	B-3 Central Business	I-1 Light Industrial	I-2 General Industrial
Brewery	CUP	CUP	CC	CC
Brewery off-site retail outlet	CUP	CUP	NP CC	NP
Brewpub	CUP	CUP	NP CC	NP
Distillery	CUP	CUP	CC	CC
Winery	CUP	CUP	CC	CC

NOTES:

CC - Certificate of compliance

CUP - Conditional use permit

NP - Not permitted

Section 255-75.2(E-F) is amended as follows. All other sections shall remain the same.

- E. Limits on type of food service. Breweries, ~~retail outlets, brewpubs,~~ distilleries, and wineries located in an I-1 Light Industrial Zoning District will be allowed limited food service on-site, ~~upon the approval of a certificate of compliance.~~ Limited food service ~~shall be an ancillary use and~~ may include food ~~service~~ provided by the brewery, ~~retail outlets, brewpubs,~~ distillery, or

winery, through a catering service, prepackage or ~~an offsite restaurant delivery, upon the approval of a conditional use permit.~~ Breweries, retail outlets, brewpubs, distilleries and wineries located in an I-1 Light Industrial Zoning District will be allowed to operate a restaurant / café as permitted upon approval of a conditional use permit.

~~F. Ancillary retail sales within breweries, distilleries and wineries. Ancillary retail sales must be clearly ancillary to the principal business.~~

SECTION 2: SEVERABILITY. If a court of competent jurisdiction determines any section, clause, provision or portion of this ordinance to be unconstitutional or invalid for any reason, the remainder of this ordinance shall not be affected thereby.

SECTION 3: EFFECTIVE DATE. This ordinance shall become effective upon adoption by the Common Council and publication as provided by law.

Adopted this _____ day of _____, 2019.

APPROVED:

Rich O'Connor, Mayor

ATTEST:

_____, Acting City Clerk

First Reading: _____

Date Adopted: _____

Date Published: _____; send affidavit of publication



505 Third Street
Hudson, Wisconsin 54016
ph: (715)-386-4765 fx: (715)386-3385
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TO: Plan Commission

FROM: Community Development

DATE: 7 January 2020

SUBJECT: Discussion and possible action on a recommendation to the Common Council for an amendment to Municipal Code, Chapter 255, Zoning, to include Short-Term Home Rentals and an amendment to Municipal Code, Chapter 140, Housing Standards, to update the definition and requirements for Rooming Houses.

BACKGROUND:

City staff has received several inquiries as to whether the City regulates AirBnB/VRBO types of uses and if they are at all permitted. Current City of Hudson zoning code does not directly address businesses associated with short-term home rentals. Proposed home rental types would be broken up into four types (A-D), representing unique owner occupancy types.

In addition to the inclusion of Short Term Home Rentals into the municipal code, staff is also looking to clean up code language pertaining to Rooming Houses. This minor update includes redefining what rooming houses are in relation to short term home rentals, adding language about obtaining required licensure from regulatory agencies, and updating the permitted land uses table to omit the 'boarding house, nonprofit' use from the table and relabeling the 'boarding house' use to 'rooming house'.

STAFF RECOMMENDATION:

Recommends the Plan Commission forward a recommendation of approval to the Common Council.

ACTION REQUESTED:

Recommend the Common Council approve the proposed code amendment.

ATTACHMENTS:

Draft Ordinance for Short Term Home Rentals and Rooming Houses

Prepared by: Tiffany Weiss, Associate City Planner
Through: Mike Johnson, AICP, Community Development Director

ORDINANCE NO. _-19

AN ORDINANCE AMENDING THE CITY OF HUDSON MUNICIPAL CODE, CHAPTER 255 ENTITLED ZONING ORDINANCE BY ADDING REGULATIONS FOR SHORT TERM HOME RENTALS AND AMENDING THE CITY OF HUDSON MUNICIPAL CODE, CHAPTER 140 ENTITLED HOUSING STANDARDS BY UPDATING THE DEFINITION AND REQUIREMENTS FOR A ROOMING HOUSE

WHEREAS, the City has received inquiries from persons with interest in operating short-term home rentals in the City of Hudson;

WHEREAS, the Hudson City Code, particularly the zoning code, does not directly address these types of operations;

WHEREAS, the City Plan Commission and Common Council believe these types of businesses may be beneficial to the City of Hudson if located in appropriate areas of the City of Hudson where they would be compatible with the surrounding uses;

THE COMMON COUNCIL OF THE CITY OF HUDSON HEREBY ORDAINS AS FOLLOWS:

SECTION 1:

CHAPTER 140. HOUSING STANDARDS

§140-1 Definitions and word usage.

A. The following definitions will apply in the interpretation and enforcement of this chapter.

ROOMING HOUSE

~~Also referred to as ‘tourist rooming houses’ and ‘boarding houses’, are Lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists or transients. It does not include private boarding or rooming houses not accommodating tourists or transients, or bed-and-breakfast establishments. Any dwelling or part of any dwelling containing one or more rooming units in which space is let by the owner or operator for five or more persons who are not husband or wife, sister or brother, son or daughter or father or mother of the owner or operate.~~

§140-10 Rooming houses.

No person shall operate a rooming house or shall occupy or let to another for occupancy any rooming unit in any rooming house except in compliance with the provisions of every section of this chapter, except the provisions of §§140-4 and §140-9. Such person shall also ~~obtain licensure as required by other regulatory agencies and must~~ comply with the following:

SECTION 2:

CHAPTER 255. ZONING

§255-24. Permitted Uses. (Refer to 255 Attachment 1, City of Hudson, Table of Permitted Uses, Part 2 with an amendment to the Boarding House designations.)

~~For the “Boarding House” and “Boarding House, nonprofit” designations, the existing table shall be amended as follows:~~

	R-T	RM-1,3,4	RM-2	B-1	B-2	B-3	B-4	I-1	I-2
Rooming Boarding -House	CUP	CUP	CUP	CUP	CUP	CUP	CUP	N	N
Boarding House, nonprofit	N	N	N	N	N	N	CUP	CUP	CUP

§255-75.4. Short Term Home Rentals.

A. Purpose.

- (1) The purpose of this section is to allow Short Term Home Rentals where appropriate while mitigating impacts upon surrounding properties by implementing balanced regulations to protect the integrity of the city's neighborhoods as well as protect the general public health, safety and welfare.
- (2) These provisions establish the framework for City review of applications for short term home rental operations, and the standards which apply to the operation of these businesses.

B. Definitions.

PARKING MITIGATION PLAN

A plan that is comprised of existing parking conditions and proposed parking conditions within 300 feet of a proposed short term home rental.

PRIMARY RESIDENCE

The dwelling unit within which a person lives for six months plus a day during a calendar year.

PRIMARY RESIDENT

A person living on a property where the property is the person's primary residence.

SHORT TERM HOME RENTAL, TYPE A (HOSTED SHORT TERM RENTAL)

A dwelling unit that is offered to transient guests for a period of less than 30 consecutive days, where a primary resident of the property is present while the transient guests are present.

SHORT TERM HOME RENTAL, TYPE B (UNHOSTED SHORT TERM RENTAL)

A dwelling unit that is offered to transient guests for a period of less than 30 consecutive days, where the property serves as a person's primary residence but a primary resident of the property is not present while the transient guests are present. This Type B also includes Short Term Home Rental of any Accessory Dwelling Units, non-owner-occupied duplexes or mother-in-law apartments.

SHORT TERM HOME RENTAL, TYPE C (DEDICATED SHORT TERM RENTAL)

A dwelling unit that is offered to transient guests for a period of less than 30 consecutive days, where the property does not serve as a person's primary residence.

SHORT TERM HOME RENTAL, TYPE D (BED-AND-BREAKFAST)

See the definition and requirements of Bed-and-Breakfast Establishments in §255-70.

~~TOURIST ROOMING HOUSE LICENSE~~

~~A license that is required through St. Croix County for any establishment that falls under the~~

~~definition of a 'rooming house', referenced in §140-1. For the purposes of this ordinance, this includes Types A, B, and C Short Term Home Rentals.~~

- C. **License required.** No property may be used for Type A, B or C Short Term Home Rental unless granted a license by the city. No property may be used for Type C or D Short Term Home Rental unless granted a Conditional Use Permit and a license by the city.
- D. **License application.** Any property owner desiring to undertake Short Term Home Rentals must apply to the City Clerk's office for a Short Term Home Rental License. A license must be approved prior to operating within the city. The license application request must be submitted on the form prescribed by the city and must include all the information requested on the application form.
- E. **License fee.** The license application form must be accompanied by payment in full of the required license application fee. The license application fee amount will be as determined by the Common Council in the city fee schedule.
- F. **License issuance.** The process for review and issuance of a license will vary depending upon the type of Short Term Home Rental as follows:
- (1) Type A, Hosted Short Term Home Rentals. Type A Short Term Home Rentals are required to have an administratively issued license from the city **and any other licensure as required by other regulatory agencies.**
 - a) The licensee certifies on the application form that all applicable items found in this §255-75.4 are satisfied. That includes:
 1. Proper zoning as found in §255-75.4(G); and
 2. Performance standards as found in §255-75.4(H).
 - b) The applicant submits a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, or sauna.
 - c) The applicant submits a floor plan, drawn to scale, of the home identifying which rooms will be used as transient guest bedrooms.
 - d) There shall be no change in the exterior appearance of the home or premises, or other visible evidence of the conduct of a Short Term Home Rental, except that additional on-site city code compliant parking may be provided.
 - e) The licensee must provide proof of sufficient and suitable property insurance at the time of license issuance, and must be able to confirm that the coverage remains in place within 24 hours of a city request for confirmation.
 - f) Licenses are non-transferable and shall expire upon change of ownership of the property.
 - g) A license constitutes a limited license granted to the applicant by the city and in no way creates a vested zoning right.
 - h) If three substantiated and relevant complaints are received from neighbors or guests within a 12-month period, the license shall be revoked. The revocation may be appealed to the Public Safety Committee within 30 days of revocation. If a license is revoked, the owner is prohibited from making application for another license for any type of Short Term Home Rental for six months.
 - i) Licenses are valid for a period of two years. A renewal license must be applied for every two years.

(2) Type B Unhosted Short Term Rental. Type B Short Term Home Rentals are required to have an administratively issued license from the city **and any other licensure as required by other regulatory agencies.**

a) A Type B Short Term Home Rental license or renewal license will be issued administratively only if:

1. The applicant submits a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, or sauna.
2. The applicant submits a floor plan, drawn to scale, of the home identifying which rooms will be used as transient guest bedrooms.
3. The licensee certifies on the application form that all applicable items found in §255-75.4 are satisfied. That includes:
 - a. Proper zoning as found in §255-75.4 (G)
 - b. Performance standard as found in §255-75.4(H)
 - c. Proof of sufficient and suitable property insurance.

b) There shall be no change in the exterior appearance of the home or premises, or other visible evidence of the conduct of a Short Term Home Rental, except that additional on-site city code compliant parking may be provided.

c) The licensee must provide proof of sufficient and suitable property insurance at the time of license issuance and must be able to confirm that the coverage remains in place within 24 hours of a city request for confirmation.

d) If three substantiated and relevant complaints are received from neighbors or guests within a 12-month period, the license shall be revoked. The revocation may be appealed to the Public Safety Committee within 30 days of revocation. If a license is revoked, the owner is prohibited from making application for another license for any type of Short Term Home Rental for six months.

e) Licenses are non-transferable and shall expire upon change of ownership of the property.

f) A license constitutes a limited license granted to the applicant by the city and in no way creates a vested zoning right.

g) Licenses are valid for two years. A renewal license must be applied for every two years. No neighborhood notification is required for the renewal of licenses.

(3) Type C, Dedicated Short Term Rental. Type C Short Term Home Rentals are required to have both a Conditional Use Permit and an administrative license issued by the city. **They are also required to obtain licensure as required by other regulatory agencies.** The Conditional Use Permit and initial license may be processed simultaneously.

a) Conditional Use Permit. The application for the Conditional Use Permit to operate a Type C Short Term Home Rental must be filed with the Community Development Department on the applicable form. The application will be reviewed according to the process established in §255-76. In addition, the following procedures, criteria and conditions shall also apply:

1. The applicant must submit a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, or sauna.
2. The applicant submits a floor plan, drawn to scale, of the home identifying which rooms will be used as transient guest bedrooms.
3. The Conditional Use Permit runs with the land and must be filed in the property's chain of title, but since a license is also required for a Type C Short Term Rental, possession of a Conditional Use Permit is not

sufficient to operate. Any new owner desiring to operate a Type C Short Term Rental on property that has an unexpired Conditional Use Permit filed in the chain of title must also obtain a license from the city. A Conditional Use Permit expires if a property is not operated as a Short Term Home Rental for more than two years.

- b) License. The application form for the license or renewal license must certify by the applicant that all applicable items found in this §255-75.4 are satisfied. That includes:
 - 1. A Conditional Use Permit has been issued for the subject property and is still valid.
 - 2. Proper zoning as found in §255-75.4(G).
 - 3. Performance standards as found in §255-75.4(H).
 - 4. Proof of sufficient and suitable property insurance.
- c) If three substantiated and relevant complaints are received from neighbors or guests within a 12-month period, the Short Term Home Rental license shall be revoked. The revocation may be appealed to the Public Safety Committee within 30 days of revocation. If a license is revoked, the owner is prohibited from making application for another license for any type of Short Term Home Rental for six months.
- (4) Type D Bed-and-Breakfast. Type D Short Term Home Rentals are also known as Bed-and-Breakfasts and are required to have a Conditional Use Permit as regulated in §255-70 as well as a license from other regulatory agencies.

G. **Zoning District.** Short Term Home Rentals are permitted, with an approved license from the City of Hudson, in the following Zoning Districts:

- (1) Residential Zoning Districts. Type A and B Short Term Home Rentals are allowed by city license in all Residential Zoning Districts. Type C Short Term Home Rentals are allowed by Conditional Use Permit in R-T Transitional Two-Family Residential Zoning Districts only. Type D Short Term Home Rentals (i.e. Bed-and-Breakfasts) are allowed by Conditional Use Permit as regulated in §255-70.
- (2) Commercial Zoning Districts. Type A, B and C Short Term Home Rentals are permitted by city license in the B-2, B-3, and B-4 Zoning Districts. Type D Short Term Home Rentals (i.e. Bed-and-Breakfasts) are allowed by Conditional Use Permit as regulated in §255-70.

H. **Performance standards.** Type A, B and C Short Term Home Rentals shall be subject to the following performance standards. Type D Short Term Home Rentals shall be subject to the standards found in §255-70 of this Chapter.

- (1) Parking.
 - a) In residential zoning districts, all guest parking must be accommodated on improved surfaces on the premises. No on-street parking is allowed for guests. At a minimum, parking shall be provided at the following rate:
 - 1. 1-2 bedroom unit, 1 space
 - 2. 3 bedroom unit, 2 spaces
 - 3. 4 and 4+ bedroom units, number of spaces equal to the number of bedrooms minus one.
 - b) In the B-2, B-3 and B-4 zoning districts, guest parking must either be accommodated on the property of the Short Term Home Rental dwelling unit, or a parking mitigation plan must be approved by city staff.
- (2) Length of guest stay. The minimum length of stay is one day. The maximum length of stay is 30 days.

- (3) Number of guests. The maximum number of transient guests will be limited to two times the number of bedrooms plus one.
 - (4) Guest records. The licensee for Type B and C Short Term Rentals must keep a transient guest record including the name, address, phone number, and vehicle license plate information for all guests and must provide a report to the city upon 48 hours' notice.
 - (5) Guest disclosures. The licensee must disclose in writing to their transient guests the following rules and regulations and must submit a copy of the disclosure to the city with the license application and renewal applications. In addition, the disclosures must be conspicuously displayed in the home.
 - a) For Type B and C Short Term Home Rentals, the name, phone number and address of the owner, operating lessee or managing agent/representative;
 - b) The maximum number of guests allowed at the property;
 - c) The maximum number of vehicles allowed at the property and where they are to be parked;
 - d) Property rules related to use of outdoor features, such as decks, patios, grills, recreational fires, saunas and other recreational facilities;
 - e) City nuisance ordinances will be enforced by the Hudson Police Department, including reduced noise levels between 10PM and 8AM.
 - f) No events are allowed to be hosted on the premises.
 - (6) License number. The licensee must post their city license number on all print, poster or web advertisements.
 - (7) Proximity of assistance. For Type B and Type C Short Term Home Rentals, the property owner or a manager/representative must be located within 30 minutes travel time of the property. The City Clerk's Department must be notified within 10 days of a change in the managing agent/representative or their contact information. The licensee must provide the name, address and phone number for the licensee or managing agent/representative to all property owners within 150 feet of the property boundary. The licensee must notify neighboring properties within 10 days of a change in the managing agent/representation or contact information.
 - (8) Garbage. As required by §207-4, waste shall be kept in approved watertight receptacles or containers with closed tops and shall be stored out of view as much as possible.
 - (9) Health and Safety. For Type A, B and C Short Term Home Rentals, each establishment shall be equipped with smoke detector devices for each kitchen area, bedroom, furnace area and hallway adjoining each bedroom. Fire extinguishers shall be placed in the kitchen area, furnace area, and hallways adjoining bedrooms. Each inside bedroom door shall exhibit an evacuation plan, with a diagram of escape routes and emergency telephone numbers.
 - (10) Signage. No signage is allowed on the property of a Type A, B or C Short Term Home Rental. Type D is allowed signage as regulated in §255-70.
 - (11) Events. Events are not allowed to be hosted by transient guests on the premises. For purposes of §255-75.4, an event means a gathering on the premises of more than three un-registered transient guests. Events hosted by the property owner are allowed but must abide by all applicable city ordinances and policies.
- I. **Sales taxes.** In addition to state sales tax, the licensee is required to pay the city lodging tax.
- (1) The city lodging tax must be collected and paid either by the web-based booking company that the Short Term Home Rental is listed on, or by the licensee directly to the city if the Short Term Home Rental does not use a web-based booking service.
 - (2) The license application must supply information on any web-based booking service(s) used for the license property.

- (3) The licensee, or booking agent on their behalf, is required to pay the city lodging tax quarterly. If no sales are made during a quarter, a report must nonetheless be submitted to the city stating that no sales were made or lodging tax collected during that quarter.

J. **Interchangeability.** A licensee may use the license to operate any Short Term Home Rental type equal to or less than the one for which the license is issued. Therefore, if an owner is issued a Type C license, the property is permitted to operate as a Type C, B or A. And, a Type B license allows the owner to operate as a Type B or A. However, a Type D owner may only operate as a Bed-and-Breakfast.

K. **Enforcement.**

- (1) In the event of a violation or threatened violation of this ordinance, the city, in addition to other remedies, is entitled to seek Injunctive Relief or proceedings to prevent, restrain, correct, or abate such violations or threatened violations.
- (2) The penalty for violation of this §255-75.4 shall be a Misdemeanor.
- (3) In addition to penalty provisions §255-75.4(K)(1) and §255-75.4(K)(2), the fine for the first substantiated and relevant complaint or violation shall be \$250. The fine for the second shall be \$500. The fine for the third shall be \$750 and this third offense shall also result in automatic license revocation.

SECTION 3: SEVERABILITY. If a court of competent jurisdiction determines any section, clause, provision or portion of this ordinance to be unconstitutional or invalid for any reason, the remainder of this ordinance shall not be affected thereby.

SECTION 4: EFFECTIVE DATE. This ordinance shall become effective upon adoption by the Common Council and publication as provided by law.

Adopted this _____ day of _____, 2019.

APPROVED:

Rich O'Connor, Mayor

ATTEST:

_____, Acting City Clerk

First Reading: _____

Date Adopted: _____

Date Published: _____; send affidavit of publication



505 Third Street
Hudson, Wisconsin 54016
ph: (715)-386-4765 fx: (715)386-3385
www.hudsonwi.gov

TO: Plan Commission

FROM: Community Development

DATE: 7 January 2020

SUBJECT: Discussion and possible action on recommending the Common Council set a public hearing date for an amendment to Municipal Code, Chapter 253, Floodplain Ordinance, to include the Downtown Floodway Study

BACKGROUND:

The current Flood Insurance Study and Flood Insurance Rate Maps do not delineate a floodway boundary for the St. Croix River along the City of Hudson. In July of 2018, the City directed SEH to perform a floodway study to determine the floodway and flood-fringe limits in the general floodplain district. The study was completed in October 2019 and received conditional approval from the Wisconsin DNR.

The Downtown Floodway Study is proposed to be adopted into Municipal Code, Chapter 253. The amendment will reduce ambiguity when enforcing the City of Hudson's Floodplain Ordinance (Chapter 253).

STAFF RECOMMENDATION:

Recommends the Plan Commission recommends the Council set a public hearing date and forward a recommendation of approval of the proposed amendment.

ACTION REQUESTED:

Recommend the Common Council set a public hearing date and forward a recommendation of approval of the proposed Downtown Floodway Study adoption.

ATTACHMENTS:

Draft Resolution and Public Hearing Notice
Downtown Floodway Study
Letter from WI-DNR dated 10/16/2019

Prepared by: Emily Boles, Administrative Assistant
Through: Mike Johnson, AICP, Community Development Director

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held at the Council Chambers at City Hall, 505 Third Street, Hudson, WI 54016, on Monday, February 24, 2020, at 7:00 p.m. for the purpose of considering and taking action on the following resolution which was introduced at a meeting of the Common Council of the City of Hudson, Wisconsin, on January 20, 2020.

Dated this 23rd day of January, 2020.

Aaron Reeves, Acting City Clerk

Publish in *Star-Observer*: Publish Class II notice, January 30, 2020 and February 6, 2020; send affidavit of publication. Posted in city hall lobbies, January 23, 2020.

CITY OF HUDSON RESOLUTION NO. ____

RESOLUTION TO AMEND CITY OF HUDSON'S FLOODPLAIN ORDINANCE

WHEREAS, the City of Hudson's Floodplain Ordinance (Chapter 253) regulates development within floodplains to protect life, health and property and minimize expenditures of public funds for flood control projects and rescue and relief efforts.

WHEREAS, the City of Hudson's Floodplain Ordinance (Chapter 253) separates floodplains into two components: Floodway and Flood-fringe. Floodway is defined as "the channel of a river or stream and those portions of the adjacent floodplain adjoining the channel required to carry the regional flood discharge". Flood-fringe is defined as "that portion of the floodplain outside of the floodway which is covered by floodwaters during the regional flood and associated with standing water rather than flowing water."

WHEREAS, the effective Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS, 55109CV000A, dated March 16, 2009) and Flood Insurance Rate Maps (FIRMs, 27163C 0357E, 27163C 0359E, dated March 16, 2019) provide the regulatory Base Flood Elevations (BFEs) and flood profiles but do not provide a floodway boundary for the St. Croix River.

WHEREAS, the lack of a floodway boundary introduces ambiguity into the enforcement of the City of Hudson's Floodplain Ordinance (Chapter 253).

WHEREAS, the City of Hudson commissioned the Downtown Floodway Study dated October 3, 2019, a copy of which is attached as Exhibit A.

WHEREAS, the City of Hudson Downtown Floodway Study received conditional approval from the Wisconsin Department of Natural Resources dated October 16, 2019, a copy of which is attached as Exhibit B.

NOW THEREFORE, BE IT RESOLVED, that the Common Council hereby amends City of Hudson's Floodplain Ordinance (Chapter 253) as follows:

Insert 253-1.5(B)(4) "Downtown Floodway Study, dated October 3, 2019, relating the floodway boundary along the St. Croix River between IH-94 and St. Croix Street."

DRAFT



Building a Better World
for All of Us®

October 3, 2019

RE: City of Hudson, Wisconsin
Downtown Floodway Study
SEH No. HUDSO 147395 14.00

Mr. Michael Johnson
Community Development Director
City of Hudson
505 Third Street
Hudson, WI 54016

Dear Mr. Johnson:

This letter report has been prepared in accordance with the Floodway Study Letter of Engagement dated July 5, 2018. This engineering study has been completed to satisfy the requirements for determination of the floodway and flood-fringe limits in the General Floodplain District for the St. Croix River through the study reach within the City of Hudson. This letter report summarizes the analysis and results of the study.

BACKGROUND

The reach of the St. Croix River covered under this study is approximately 7,300 feet, extending from the I-94 Bridge crossing at the downstream end to approximately St. Croix Street at the upstream end of the study reach. The effective Flood Insurance Study (FIS, 55109CV000A dated March 16, 2009) and Flood Insurance Rate Maps (FIRMs, 27163C 0357E, 27163C 0359E, dated March 16, 2009) provide the regulatory Base Flood Elevations (BFEs) and flood profiles but do not delineate a floodway. The St. Croix River in the study reach exhibits hydraulic characteristics more closely to that of an impoundment than riverine system due to the fact that the water surface elevations are controlled primarily by backwater from the Mississippi River, approximately 16 miles downstream of the I-94 Bridge crossing.

The water surface profile slope for the regional flood is very flat from the confluence with the Mississippi River upstream to the City of Stillwater, Minnesota (approximately 0.06 feet per mile). Given this flat water surface profile, hydraulic modeling was not utilized by FEMA to develop the BFEs for the St. Croix River within this reach. Instead a straight line interpolation was performed from the gage in Stillwater to the confluence with the Mississippi River. The very flat water surface profile also results in negligible flood profile impacts associated with fill or hydraulic structures throughout this reach, impacts much less than standard hydraulic modeling results would indicate. Due in part to these factors, no official delineation of floodway or flood-fringe areas has been depicted on FIRMs for the St. Croix River through this area.

Given the absence of a floodway determination, areas along this stretch of the St. Croix River are subject to the floodplain zoning requirements of the General Floodplain District (GFP). Under this zoning district, all development applications for property within the floodplain require individual determination of the floodway and flood-fringe limits for each project. The purpose of this study is to provide a delineation of the floodway and flood-fringe areas to satisfy the requirements of the City Floodplain Zoning ordinance section 253-5.4 for the downtown area of Hudson adjacent to the St. Croix River. Since the City of Hudson's Floodplain Zoning ordinance is compliant with the State of Wisconsin model ordinance, this

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would also ensure compliance with state of Wisconsin floodplain requirements and ultimately the FEMA National Flood Insurance Program (NFIP).

ANALYSIS

Hydrology

The discharge rates utilized for this study were taken from the effective discharges listed in the FIS, which gives peak discharge rates for the St. Croix River at St. Croix Falls. This is the only published discharge rate for the St. Croix River for the entire reach from St. Croix Falls downstream to the confluence with the Mississippi River. The summary of discharges from the FIS is included below.

Table 1. Summary of Discharges

Flooding Source and Location	Drainage Area (sq. miles)	Peak Discharges (cfs)			
		10% Annual Chance	2% Annual Chance	1% Annual Chance	0.2% Annual Chance
St. Croix River at St. Croix Falls	5,930	39,300	47,800	61,000	77,000

No description of the hydrologic analyses to obtain the effective discharge rates for the St. Croix River is listed in the effective FIS for St Croix County. A description of the hydrologic analysis for the St. Croix River is described in the effective FIS (27163CV000A) for Washington County, Minnesota (effective date of February 3, 2010). An excerpt on the hydrologic analysis for the St. Croix River from the Washington County FIS is contained below.

A flood-flow frequency analysis at the City of Prescott, with the combined flow of the St. Croix and Mississippi Rivers, was completed by the USGS in November 1971 for the lower St Croix River. This will affect the flood-frequency analysis throughout the reach extending through the City of Stillwater. The 1-percent-annual-chance flood discharge of 200,000 cfs is in close agreement with the discharges used by the USACE to develop a 1-percent-annual-chance flood profiles of the Mississippi River downstream from the City of Prescott.

The 1-percent-annual-chance flood discharge for the St. Croix River was based on an analysis of available records (1902-05, 1910-70) obtained at the USGS gaging station at St. Croix Falls, Wisconsin (gage no. 05340500). The 1-percent-annual-chance flood was coordinated in accordance with the inter-agency agreement.

For both gaging stations, flood-flow frequency analysis were made in accordance with the recommendations contained in Bulletin #17 (Water Resources Council, 1976) of the Water Resources Council (WRC).

For this study we propose to continue to utilize the discharge rates from the effective FIS for St. Croix County, with no updates or modifications.

Hydraulics

The USACE HEC-RAS, version 5.0.3, hydraulic model was utilized to develop a base existing conditions hydraulic model, since no effective hydraulic model exists for the study reach, for this analysis.

Cross-sections were developed based on available information, with bathymetric data estimated based on depth maps from the Minnesota DNR Lakefinder website, this bathymetry covers both the Minnesota and Wisconsin sides of the river. We were unable to locate any bathymetric information for the study reach from the Wisconsin DNR. The cross-section locations developed for this study are depicted on Figure 2. Lidar information from the Minnesota DNR MnTOPO website along with data provided by St. Croix County was utilized in conjunction with the bathymetric information to develop cross-sections for the hydraulic modeling.

Two discharge rates were modeled for the analysis, the first a 10-year discharge rate of 39,300 cfs and the second the regional flood (100-year) discharge of 61,000 cfs. Starting water surface elevations for the model were taken from the FIS for St. Croix County and were found to be 691.7 for the regional flood and 687.1 for the 10-year discharge all referenced to the North American Vertical Datum of 1988 (NAVD88).

Floodway Delineation

The floodway extents were estimated according to the methodology outlined in Wisconsin Administrative Code Section NR116.07(4)(d) which states that the hydraulic floodway lines shall be determined from the limits of effective flow based on the calculated regional flood water surface profile. Transitions in the hydraulic floodway, or limits of effective flow, should account for natural obstructions and transitions to flow such as road approach grades or bridges. The limits of effective flow under the regional discharge were established by utilizing the compiled topographic information to determine flow obstructions under the regional flood and then flow transitions between the obstructions were estimated following guidelines in the HEC-RAS Hydraulic Reference Manual.

Assumptions

Manning's coefficients for the analysis were first estimated based on a review of aerial photography and consultation of *Open-Channel Hydraulics* (Chow, 1959) and the *USGS Water-Supply Paper 2339*, "Guide for Selecting Manning's Roughness Coefficients for Natural Channels and Flood plains." The Manning's coefficients along with the contraction and expansion coefficients were then minimized in an attempt to calibrate the model results to the effective BFEs (Figure 20P, 55109CV000A, 3/16/2009) and regional flood profile. Manning's coefficients of 0.06 for the overbank areas and 0.024 for the channel were utilized and contraction and expansion coefficients were set at 0.1 and 0.3, respectively.

Figure 3 depicts the estimated limits of effective flow (areas not actively conveying water) based on the calculated regional flood water surface profile and accounting for flow transitions due to obstructions to flow such as the railroad grade fill at the upstream end of the study reach and I-94 Bridge fill at the downstream end. It should be noted that based on the ineffective flow limits, the majority of the eastern shoreline of the St. Croix River through the study reach appears to be within an area of ineffective flow. Because ineffective flow areas do not actively convey water, encroachments into the ineffective areas do not effect hydraulic capacity under the regional flood and could therefore be deemed flood-fringe.

RECOMMENDATIONS

The recommended floodway limits through the study reach are depicted on Figure 1, areas landward of this floodway delineation can be characterized as flood fringe for floodplain zoning applications.

Upon review and approval of the proposed administrative floodway extents by the City and Wisconsin DNR, we recommend that this study be adopted into the City's floodplain management ordinance and Figure 1 be utilized as the Floodway delineation for administration of the floodplain zoning regulations for the City of Hudson.

Mr. Michael Johnson
October 3, 2019
Page 4

SEH appreciates the opportunity to assist with the completion of this important study. If you have any questions regarding the analysis or results, please feel free to contact me at 651.490.2125 or via e-mail at bwoznak@sehinc.com.

Sincerely,

SHORT ELLIOTT HENDRICKSON INC.

A handwritten signature in black ink, appearing to read "Brad T. Woznak", with a long horizontal flourish extending to the right.

Brad T Woznak, PE,PH,CFM
Senior Professional Engineer

btw

Attachment

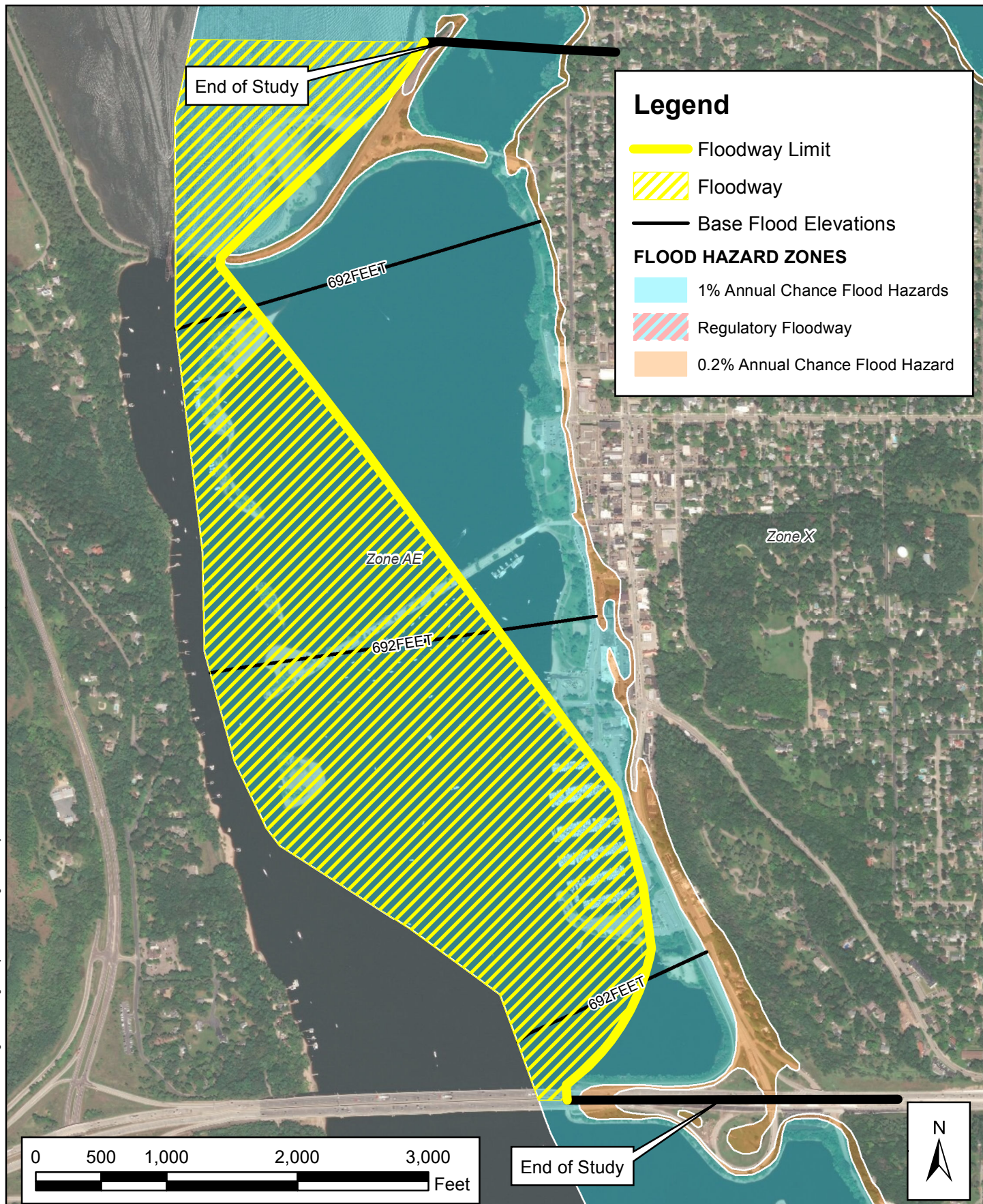
c: Michael Rogney, PE – Water Management Engineer, Wisconsin DNR
John Parotti, PE – SEH
David Schofield, PE - SEH

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Table 2. HEC-RAS Analysis Results

HEC-RAS Plan: Existing River: St Croix River Reach: Hudson Reach													
Reach	River Sta	Profile	Q Total	Min Ch El	W.S. Elev	FIS WS	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
			(cfs)	(ft)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Hudson Reach	11729.39	10 Year	39300.00	649.67	687.26		659.86	687.27	0.000002	0.68	57774.10	4003.90	0.03
Hudson Reach	11729.39	100 Year	61000.00	649.67	691.91		662.33	691.92	0.000003	0.84	72388.30	4077.33	0.03
Hudson Reach	11261.54	10 Year	39300.00	659.67	687.25		666.35	687.26	0.000004	0.84	46948.04	3519.83	0.04
Hudson Reach	11261.54	100 Year	61000.00	659.67	691.90		668.28	691.92	0.000004	1.03	59336.76	3557.23	0.04
Hudson Reach	10704	10 Year	39300.00	659.67	687.23		668.84	687.26	0.000011	1.27	31112.81	3250.91	0.06
Hudson Reach	10704	100 Year	61000.00	659.67	691.88		671.12	691.91	0.000011	1.51	40804.81	3374.81	0.06
Hudson Reach	10313.04	10 Year	39300.00	664.67	687.22		669.64	687.25	0.000010	1.36	28985.59	3356.98	0.06
Hudson Reach	10313.04	100 Year	61000.00	664.67	691.86		671.03	691.91	0.000012	1.68	36760.88	3447.22	0.06
Hudson Reach	10086.69	10 Year	39300.00	659.67	687.14	687.2	670.39	687.24	0.000037	2.59	15243.12	3021.55	0.11
Hudson Reach	10086.69	100 Year	61000.00	659.67	691.73	691.8	672.48	691.89	0.000043	3.19	19366.80	3170.12	0.12
Hudson Reach	10052.57 Railroad		Bridge										
Hudson Reach	9977.537	10 Year	39300.00	646.67	687.09		667.99	687.22	0.000038	2.97	13236.60	3401.72	0.11
Hudson Reach	9977.537	100 Year	61000.00	646.67	691.63		670.94	691.86	0.000049	3.83	15941.63	3460.78	0.13
Hudson Reach	9613.35	10 Year	39300.00	659.67	687.13		667.08	687.19	0.000017	1.98	19878.68	3322.97	0.08
Hudson Reach	9613.35	100 Year	61000.00	659.67	691.71		670.13	691.81	0.000022	2.52	24161.40	3420.85	0.09
Hudson Reach	9093.69	10 Year	39300.00	659.67	687.12		668.68	687.18	0.000024	1.87	21042.37	3356.24	0.08
Hudson Reach	9093.69	100 Year	61000.00	659.67	691.71		671.12	691.79	0.000024	2.22	27431.69	3392.59	0.09
Hudson Reach	8581.992	10 Year	39300.00	664.67	687.13		672.18	687.16	0.000016	1.50	26267.41	3091.95	0.07
Hudson Reach	8581.992	100 Year	61000.00	664.67	691.72		675.58	691.77	0.000016	1.78	34478.90	3209.31	0.07
Hudson Reach	8016.595	10 Year	39300.00	669.67	687.12		674.81	687.15	0.000015	1.44	27867.94	2994.20	0.07
Hudson Reach	8016.595	100 Year	61000.00	669.67	691.72		675.68	691.76	0.000015	1.69	37220.21	3130.40	0.07
Hudson Reach	7553.319	10 Year	39300.00	669.67	687.13		671.88	687.14	0.000006	1.05	37725.04	3163.02	0.04
Hudson Reach	7553.319	100 Year	61000.00	669.67	691.73		672.65	691.75	0.000007	1.29	47979.81	3244.79	0.05
Hudson Reach	7099.667	10 Year	39300.00	669.67	687.12		673.25	687.14	0.000008	1.09	36134.68	3013.14	0.05
Hudson Reach	7099.667	100 Year	61000.00	669.67	691.72		674.20	691.75	0.000008	1.29	47380.02	3358.92	0.05
Hudson Reach	6621.329	10 Year	39300.00	669.67	687.12		673.09	687.14	0.000006	0.95	41401.00	3204.30	0.04
Hudson Reach	6621.329	100 Year	61000.00	669.67	691.72		673.98	691.74	0.000006	1.14	53805.89	3234.70	0.04
Hudson Reach	6413.572	10 Year	39300.00	669.67	687.12		671.69	687.13	0.000004	0.86	46004.42	3072.18	0.04
Hudson Reach	6413.572	100 Year	61000.00	669.67	691.73		672.37	691.74	0.000005	1.05	58842.13	3219.31	0.04
Hudson Reach	6210.57	10 Year	39300.00	669.67	687.12		673.21	687.13	0.000006	0.93	42550.16	3119.50	0.04
Hudson Reach	6210.57	100 Year	61000.00	669.67	691.72		674.08	691.74	0.000006	1.10	55920.05	3131.61	0.04
Hudson Reach	5734.59	10 Year	39300.00	669.67	687.12		672.08	687.13	0.000004	0.80	49522.26	3216.80	0.04
Hudson Reach	5734.59	100 Year	61000.00	669.67	691.72		672.85	691.74	0.000004	0.96	64036.95	3230.90	0.04
Hudson Reach	5141.289	10 Year	39300.00	669.67	687.12		671.53	687.13	0.000003	0.75	52686.71	3197.91	0.03
Hudson Reach	5141.289	100 Year	61000.00	669.67	691.72		672.16	691.73	0.000004	0.91	67171.53	3221.04	0.03
Hudson Reach	4050.014	10 Year	39300.00	669.67	687.11		671.96	687.12	0.000006	0.95	42202.92	3048.32	0.04
Hudson Reach	4050.014	100 Year	61000.00	669.67	691.71		672.73	691.73	0.000006	1.15	56262.79	3151.79	0.04
Hudson Reach	3524.057	10 Year	39300.00	664.67	687.11		669.32	687.12	0.000003	0.76	51844.95	3240.09	0.03
Hudson Reach	3524.057	100 Year	61000.00	664.67	691.71		670.24	691.72	0.000004	0.95	65435.21	3278.60	0.03
Hudson Reach	3139.851	10 Year	39300.00	663.67	687.11		669.02	687.12	0.000003	0.80	49532.18	3344.15	0.03
Hudson Reach	3139.851	100 Year	61000.00	663.67	691.71		669.97	691.72	0.000004	1.01	62071.12	3366.10	0.04
Hudson Reach	2592.062	10 Year	39300.00	669.67	687.09		672.13	687.11	0.000009	1.19	33624.15	2115.48	0.05
Hudson Reach	2592.062	100 Year	61000.00	669.67	691.69		672.99	691.72	0.000009	1.45	43386.30	2184.00	0.06
Hudson Reach	2465.227 94		Bridge										
Hudson Reach	2342.229	10 Year	39300.00	669.67	687.09	687.1	672.17	687.11	0.000009	1.20	33792.57	2164.20	0.05
Hudson Reach	2342.229	100 Year	61000.00	669.67	691.68	691.7	673.00	691.72	0.000009	1.45	43791.87	2794.32	0.06
Hudson Reach	1541.706	10 Year	39300.00	659.67	687.10		666.17	687.10	0.000002	0.70	56280.57	3966.05	0.03
Hudson Reach	1541.706	100 Year	61000.00	659.67	691.69		667.12	691.71	0.000003	0.90	68101.85	4018.08	0.03
Hudson Reach	540.4286	10 Year	39300.00	619.67	687.10		625.93	687.10	0.000000	0.31	126479.50	3942.73	0.01
Hudson Reach	540.4286	100 Year	61000.00	619.67	691.70		627.61	691.70	0.000000	0.43	140465.40	3976.39	0.01

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Project: HUDSO 147395
Print Date: 10/3/2019

Map by: eerdahl
Projection:
Source:

FLOODWAY LIMIT

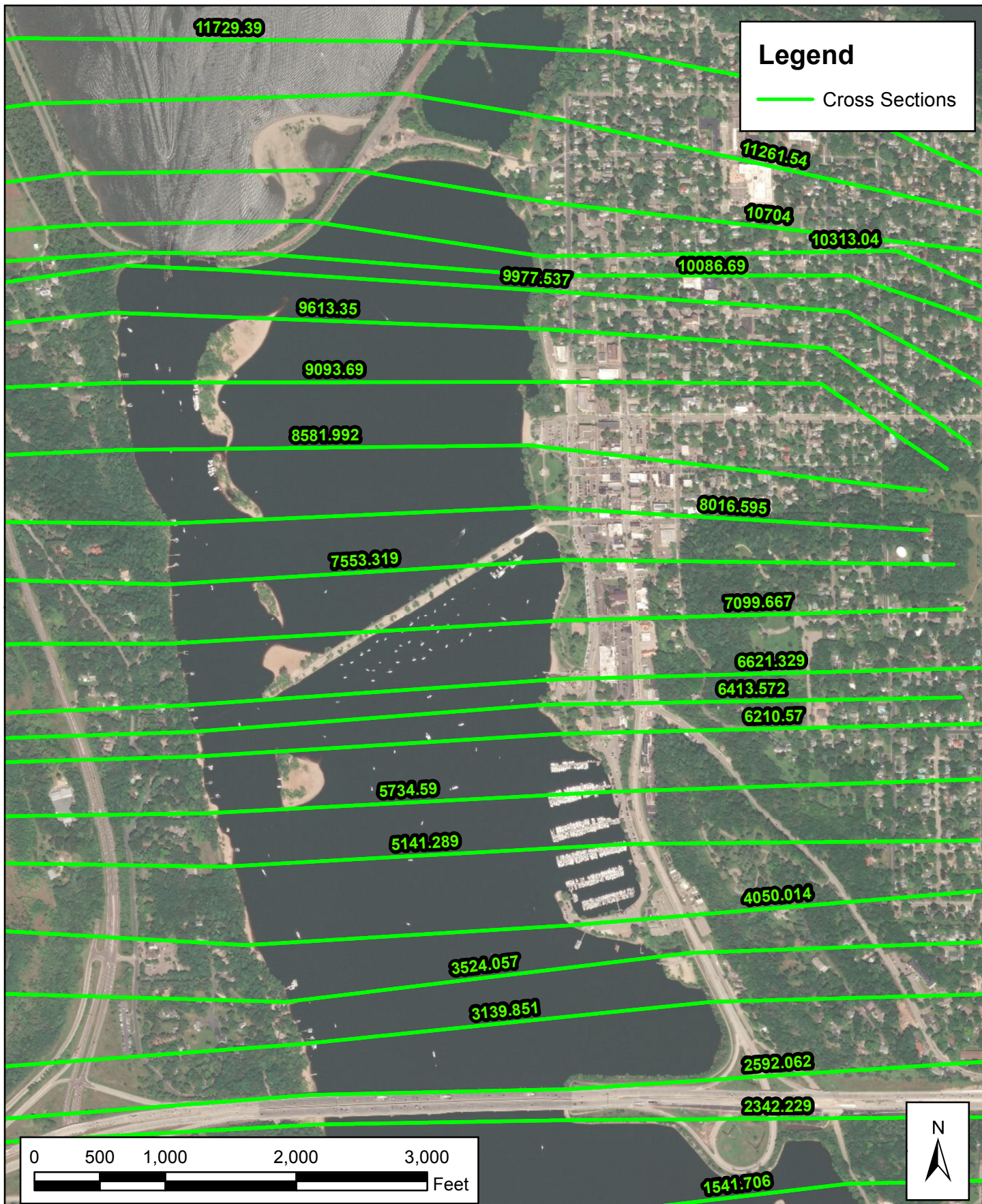
HUDSON FLOODWAY STUDY

Hudson, Wisconsin

Figure
1

This map is neither a legally recorded map nor a survey map and is not intended to be used as one. This map is a compilation of records, information, and data gathered from various sources listed on this map and is to be used for reference purposes only. SEH does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and SEH does not represent that the GIS Data can be used for navigational, tracking, or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. The user of this map acknowledges that SEH shall not be liable for any damages which arise out of the user's access or use of data provided.

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Project: HUDSO 147395
Print Date: 10/3/2019

Map by: eerdahl
Projection:
Source:

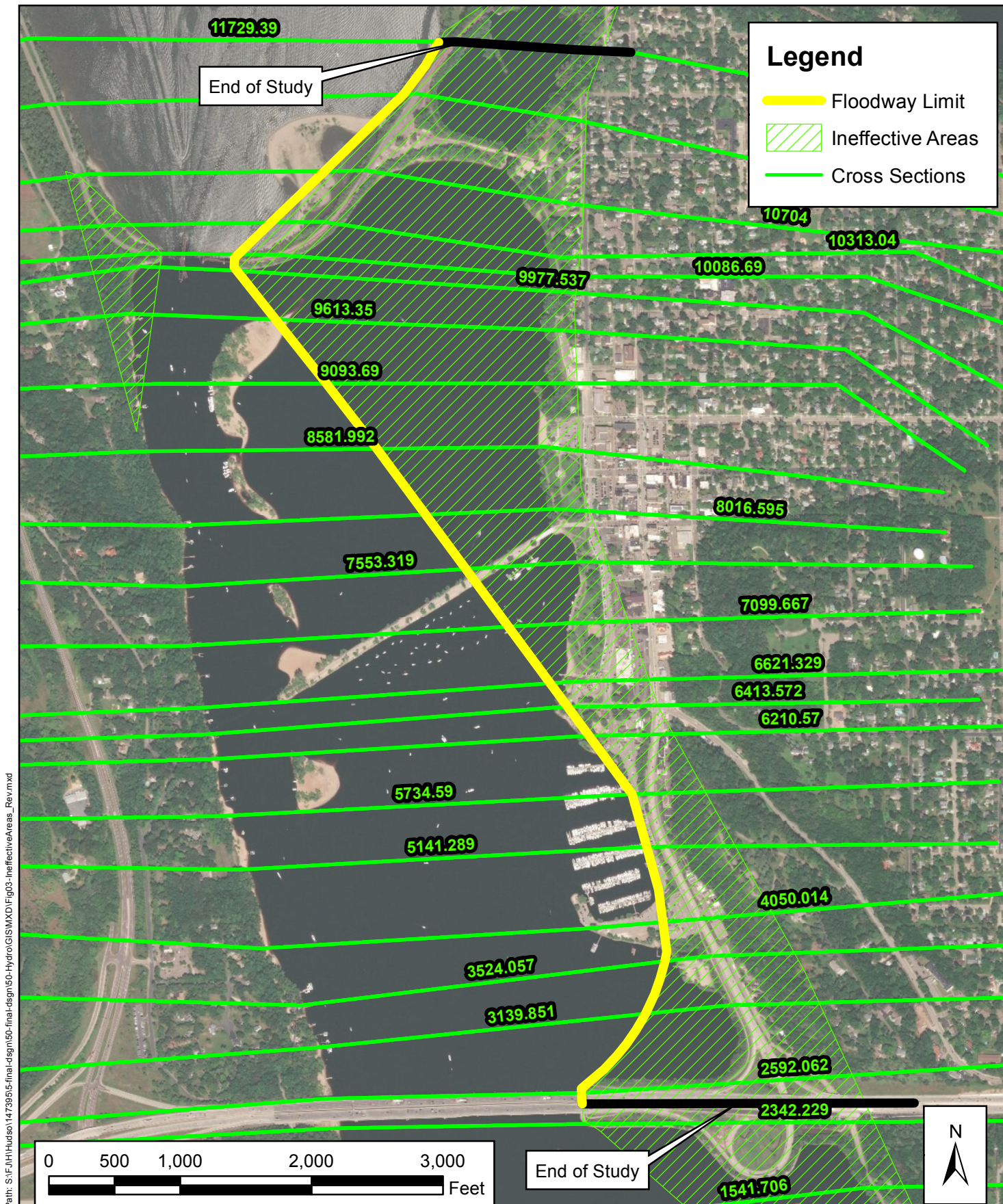
CROSS SECTIONS

HUDSON FLOODWAY STUDY

Hudson, Wisconsin

Figure
2

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	<p>3535 VADNAIS CENTER DR. ST. PAUL, MN 55110 PHONE: (651) 490-2000 FAX: (888) 908-8166 TF: (800) 325-2055 www.sehinc.com</p>	<p>Project: HUDSO 147395 Print Date: 10/1/2019 Map by: eerdahl Projection: Source:</p>	<p>INEFFECTIVE AREAS HUDSON FLOODWAY STUDY Hudson, Wisconsin</p>	<p>Figure 3</p>
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State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
West Central Region
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Eau Claire, WI 54701

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Preston D. Cole, Secretary
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October 16, 2019

FAD ID #20240

Michael Johnson
Community Development Director
City of Hudson
505 Third Street
Hudson, WI 54016

Subject: St. Croix River Floodway Delineation, City of Hudson, St. Croix County, Wisconsin – Floodplain
Analysis Conditional Approval

Dear Mr. Johnson,

The Department of Natural Resources has reviewed the floodplain analysis prepared by Brad T. Woznak, P.E., P.H., CFM of Short Elliot Hendrickson, Inc., to delineate an administrative floodway for the St. Croix River within the City of Hudson limits. The analysis was completed on behalf of the City of Hudson, located in Section 24, Township 29 North, Range 20 West, City of Hudson, St. Croix County, Wisconsin.

According to the March 26, 2009 Flood Insurance Study (FIS) for St. Croix County, “No floodway was computed for the Apple River, Lowes Creek, Otter Creek and the St. Croix River.” It is believed that the reason for this was due to the fact a formal hydraulic analysis was not completed for the St. Croix River. Rather, according to the Washington County, Minnesota FIS, the Regional Flood Elevation (RFE) profile was linearly interpolated from the confluence of the Mississippi River to Stillwater, MN. The scope of the October 3, 2019 floodplain analysis, completed by Short Elliot Hendrickson, Inc., is within an area that is known as “Lake St. Croix” due to the flat characteristics this section of the St. Croix River exhibits.

The March 26, 2009 FIS for St. Croix County does contain a flood profile table; however, formal cross sections were never established. This is evident in the FIS, due to the lack of a floodway data table for the St. Croix River. According to the October 3, 2019 report from Short Elliot Hendrickson, Inc., the scope of the analysis included inputting cross sectional topographic data into the U.S. Army Corps of Engineers HEC-RAS version 5.0.3 software. The analysis assumes a regional flood discharge of 61,000 cfs, which was taken from the March 26, 2009 St. Croix County FIS. It appears that the St. Croix County FIS lacks specific assumptions on how the regional flood discharge was computed, however a more descriptive was found in the Washington County, MN FIS.

Per the October 3, 2019 report from Short Elliot Hendrickson, Inc., the floodway extents for the scope of the analysis, were estimated in accordance with the methodology outlined in NR 116.07(4)(d) Wisconsin Administrative Code. To briefly summarize, NR 116.07(4)(d) states that hydraulic floodway lines shall be

determined by using transitions associated with obstructions to flow such as road approach grades, bridges or natural restrictions. Based on the submittal from Short Elliot Hendrickson, Inc., the limits of effective flow for the administrative floodway were assumed by using transitions such as those associated with the upstream railroad bridge and the I-94 bridge (i.e. contraction & expansion).

The analysis was modeled using one plan, which includes the assumed effective flow (i.e. floodway) limits. The limits, however, appear to be calibrated to replicate the existing regional flood profile in the March 26, 2009 FIS for St. Croix County.

The final floodplain analysis and report titled "City of Hudson, Wisconsin Downtown Floodway Study" was submitted to the Department on October 3, 2019. The Department will consider the assumptions applied in the analysis sufficient, therefore conditionally approving the study as complying with Wisconsin Administrative Code NR 116 technical standards for application of the City of Hudson's Floodplain Zoning Ordinance.

The following conditions must be met:

1. The October 3, 2019 analysis must be adopted into the City of Hudson's Floodplain Ordinance and results therein.
 - a. Please ensure that the Class II noticing requirements are met
 - b. Please submit the final ordinance adoption to the Department for approval

If you have any questions about this approval, please feel free to contact me at 715-210-2609 or Michael.Rogney@wisconsin.gov.

Sincerely,

A handwritten signature in black ink that reads "Michael Rogney". The signature is fluid and cursive, with the first name "Michael" and last name "Rogney" clearly legible.

Michael Rogney, P.E.
Water Management Engineer
Wisconsin Department of Natural Resources
Eau Claire Service Center

Cc: Brad Woznak, P.E., P.H., CFM, Short Elliot Hendrickson, Inc.
John Parotti, P.E., Short Elliot Hendrickson, Inc.
David Schofield, P.E., Short Elliot Hendrickson, Inc.